

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDDIE SPILLER,

Plaintiff,

Case No. 1:18-cv-692

v.

JEFFREY STIEVE, et al.,

HON. JANET T. NEFF

Defendants.

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**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants filed motions for summary judgment (ECF Nos. 16 & 29). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on May 13, 2019, recommending that this Court grant the motions and that this matter be terminated. The Report and Recommendation was duly served on the parties. Although Plaintiff filed an Objection (ECF No. 45), he requests that the Report and Recommendation be adopted if the dismissal is without prejudice. Because this Order dismisses this case without prejudice, the Objection is denied as moot. Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 44) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motions for Summary Judgment (ECF No. 16 & 29) are GRANTED.

**IT IS FURTHER ORDERED** that this matter is DISMISSED without prejudice.

A Judgment will be entered consistent with this Order.

Dated: June 19, 2019

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge